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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,847	10/10/2000	Donald J. Palmer	10003972-1	4195

22879 7590 01/14/2005

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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

WALLERSON, MARK E

ART UNIT PAPER NUMBER

2626

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/685,847	Applicant(s) PALMER ET AL.	
	Examiner Mark E. Wallerson	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-9 and 11-40 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on 9/16/2004.
2. This application has been reconsidered. Claims 1-9 and 11-40 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 27, 28, 30, 31, 33, 35, 36, 37, 38, 39, and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Hower, Jr. et al (Hower) (U.S. 5,467,434).

With respect to claims 1, 3, 4, 5, 7, 11, 12, 14, 15, 16, 17, 19, 20, 22, 24, 25, 33, 35, 38, and 39, Hower discloses a method of managing print services provided by a print provider (12) comprising defining a print managing system controller (25) having the print services provided by the print provider registered therein (column 4, lines 28-40); defining a network communication link between the print provider and the print managing system controller (column 3, lines 35-66); presenting the print provider with a print provider interface (50); registering the print services provided by the print services provided by the print provider with the print managing system controller via the print provider interface

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(column 2, lines 32-50) and the network communication link (27); receiving a job ticket for a print job at the print managing system controller (column 3, line 67 to column 4, line 11); determining if the print provider has the print services to fulfill the print job, including comparing the job ticket for the print job with the print services provided by the print provider (column 4, lines 49-64), and distributing the job ticket for the print job to the print provider via the network if the print management system controller determines that the print provider has the print services to fulfill the job (column 2, lines 32-50), and redistributing the job ticket for the print job to another print provider having the print services to fulfill the print job when the print provider is unable to fulfill the print job (column 2, lines 3-16 and 32-50 and column 6, lines 20-47).

With regard to claim 6, Hower discloses receiving the print job from another print provider (column 3, lines 50-66).

With respect to claims 8 and 30, Hower discloses the job ticket includes quantity and finishing options (column 4, lines 1-12).

With regard to claims 9 and 31, Hower discloses associating a data file (print job) with the job ticket (column 4, lines 1-12).

With respect to claims 13, 36, and 37, Hower discloses the printer profile includes a print medium capability (column 5, lines 13-14).

With regard to claims 18 and 40, Hower discloses tracking a status of the print job (column 9, lines 24-30).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 21, 23, 26, 29, 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hower in view of Keane et al (Keane) (U.S. 6,650,433).

With respect to claims 2, 21, 23, 26, 29, 32, and 34, Hower differs from claims 2, 21, 23, 26, 29, 32, and 34 in that he does not clearly disclose an Internet communication link. Keane discloses a method for managing print jobs wherein print jobs are transmitted from a print job managing system (10) to printing stations via the Internet (column 7, lines 45-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Hower wherein an Internet link is used to transmit jobs from the managing system to the printer. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Hower by the teaching of Keane in order to allow a greater number of users to access the system as disclosed by Keane in column 7, lines 45-63.

Response to Arguments

7. Applicant's arguments filed 9/16/04 have been fully considered but they are not persuasive. Applicant submits that Hower does not disclose a method of managing print services. The Examiner disagrees. Hower discloses server means (25) and a combination examiner (37) which examine print job selections, compares them to stored printer profiles and selects a printer

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profile or printer appropriate for the print job (column 4, lines 49-64 and column 5, line 22 to column 6, line 47). This clearly reads on managing the print jobs.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (703) 305-8581. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626

MARK WALLERSON
PRIMARY EXAMINER

